

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 4/28/2016

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MSC MEDITERRANEAN SHIPPING  
COMPANY S.A.,

Plaintiff,

v.

O.W. BUNKER NORTH AMERICA INC., O.W.  
BUNKER USA, INC., O.W. BUNKER  
(SWITZERLAND) S.A., ING BANK N.V.,  
HARLEY MARINE NY, INC.,

Defendants.  
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No. 1:15-cv-03221-VEC

STIPULATION AND ORDER  
DISMISSING ACTION WITH  
PREJUDICE

Plaintiff, MSC Mediterranean Shipping Company S.A., and defendants, O.W. Bunker North America Inc., O.W. Bunker USA, Inc., ING Bank N.V. and Harley Marine NY, Inc., respectfully show to the Court:

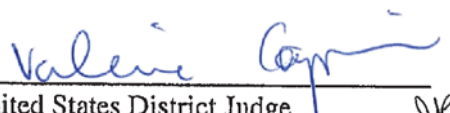

1. Plaintiff and defendants have reached a settlement of the claims between and among them that gave rise to this interpleader action.
2. The Court has previously dismissed O.W. Bunker (Switzerland) S.A. without prejudice.
3. The parties pray the Court dismiss this action with prejudice.

The Court has considered this stipulation and orders:

1. Dismissal with prejudice of all claims by and between plaintiff and defendants as alleged in plaintiff's First Amended Complaint including, without limitation, any claims defendants may have against plaintiff or any vessel arising from the claims alleged in the First Amended Complaint;
2. Discharge of Aspen American Insurance Company bond number SU43907, which plaintiff posted in this action, from any and all past, present, and future liability;
3. Dissolution of the injunction the Court issued in this action.

SO ORDERED.

Dated: April 28, 2016

  
United States District Judge 

Respectfully submitted:

SHEPPARD MULLIN RICHTER & HAMPTON LLP

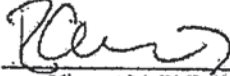
  
\_\_\_\_\_  
Thomas M. Mornhan

Charles S. Donovan (admitted pro hac vice)

Dated: April 22, 2016

*Attorneys for Plaintiff, MSC Mediterranean Shipping Company S.A.*

MONTGOMERY MCCracken WALKER & RHOADS LLP


  
\_\_\_\_\_  
Vincent M. DeOrchis

Robert E. O'Connor

Dated: 4/22/16

*Attorneys for Defendants, O.W. Bunker North America Inc.*

MONTGOMERY MCCracken WALKER & RHOADS LLP

  
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Vincent M. DeOrchis

Robert E. O'Connor

Dated: 4/22/16

*Attorneys for Defendants, O.W. Bunker USA, Inc.*

SEWARD & KISSEL LLP

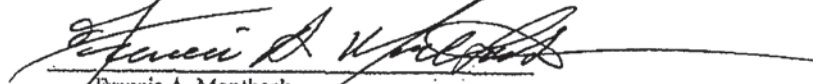
  
\_\_\_\_\_  
Bruce G. Paulsen

Brian P. Mahoney

Dated: 4/22/16

*Attorneys for Defendants, ING Bank N.V.*

MOUND COTTON WOLLAN & GREENGRASS LLP

  
Francis A. Montbach  
Dated: 4/25/16  
*Attorneys for Defendant, Harley Marine NY, Inc.*